

REMARKS

Summary of the Office Action

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Kato (JP 07-298476).

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Morita (JP 09-331627).

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Uman (US 4,276,576).

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable under Kato in view of Wynn (US 6,104,583).

Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable under Kato in view of Toyonaka (US 3,601,618).

The Abstract of the Disclosure and the Title of the Invention are objected to.

Claim 2 is objected to for minor informalities.

Summary of the Response to the Office Action

Applicant has amended claims 2 and 3 and added new claim 5. Accordingly, claims 1-7 are pending for consideration.

In addition, Applicant has amended the Abstract of the Disclosure, the Specification, and the Title of the Invention.

Specification Objections

The Title of the Invention is objected to as allegedly not being descriptive. Accordingly, Applicant has amended the Title of the Invention to recite DEVICE FOR PROTECTION FROM THUNDER.

The Abstract of the Disclosure is objected to for minor informalities regarding the length of the Abstract. Accordingly, Applicant has amended the Abstract of the Disclosure in accordance with the Examiner's comments, and respectfully requests that the objections to the Abstract be withdrawn.

The Specification was objected to for including claim numbers under the section entitled "Disclosure of the Invention." Accordingly, Applicant has amended the Specification to remove the claim numbers. In addition, the Specification was cited in the Office Action as being replete with grammatical and idiomatic errors, thereby requiring a Substitute Specification. Applicant has reviewed the Specification and amended certain paragraphs of the Specification. However, Applicant respectfully asserts that the amendments to the Specification do not appear to necessitate a Substitute Specification due to a limited number of amendments to the Specification. However, if the Examiner believes a Substitute Specification is still required, Applicant will submit a Substitute Specification if required in the next Communication from the Office.

All Claims Define Allowable Subject Matter

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Kato (JP 07-298476), claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Morita (JP 09-331627), and claim 1 stands rejected under 35 U.S.C. § 102(b) as being

anticipated by Uman (US 4,276,576). Applicant respectfully traverses these rejections as being based upon references that neither teach nor suggest the novel combination of features recited by independent claim 1.

Independent claim 1 recites a thunderbolt disaster protecting apparatus including “a power interruption restoration circuit which after said control power supply is interrupted and then the power interruption is restored, determines whether or not any thunderbolt is approaching in a predetermined time interval and changes over said switching mechanism to said thunderbolt resisting condition if a thunderbolt is approaching and to said normal condition if the condition is normal.”

In contrast to Applicant’s claimed invention, Kato teaches in the Abstract that with the lightning alarm signal, a private power generator is automatically started, and commercial power supplies 13, 14, 15 are turned off. If the alarm signal is received in succession (during operation), the timers are reset each time so that the power supplies 13, 14, and 15 remain interrupted. Morita merely teaches in paragraph [0027] that when a surge is detected by thunder sensor 7 and is more than a count of surge generated in a predetermined time set up, a control unit 4 performs a switch of an uninterruptible power system. Applicant submitted concurrently herewith machine English-language translations of Kato and Morita to facilitate a more thorough understanding of the exact disclosures of Kato and Morita. In addition, Uman discloses in column 3, lines 55-62, that isolated equipment is maintained for a predetermined amount of time, following the occurrence of each detected lightning stroke or power interruption. According to Uman, the timing function is cleared each time a lightning stroke or power interruption is detected. However, Applicant respectfully asserts that Kato,

Morita, and Uman are all completely silent with regard to “a power interruption restoration circuit which after said control power supply is interrupted and then the power interruption is restored, determines whether or not any thunderbolt is approaching in a predetermined time interval and changes over said switching mechanism to said thunderbolt resisting condition if a thunderbolt is approaching and to said normal condition if the condition is normal,” as recited by independent claim 1.

Independent claim 3, as amended, recites a thunderbolt disaster protecting apparatus including “a switching mechanism for changing over to the normal condition in which a protection object device is connected to an electric path ... wherein when said switching mechanism is in said normal condition, said thunderbolt resisting transformer is disconnected from said electric path to eliminate power consumption by said thunderbolt resisting transformer.”

With regard to amended independent claim 3, the Office Action asserts that Kato does not teach the protection object device connected to the electric path through the thunderbolt resisting transformer. The Office Action then contends that Toyonaka teaches a transformer being bypassed when a switch (MS_H) is opened and another switch (MS_L) is closed. In addition, the Office Action concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kato with Toyonaka by placing the transformer and switch in parallel with the switching device for the purpose of compensating for different impedances of different protected devices. However, Applicant respectfully asserts that both Kato and Toyonaka are silent with regard to “a switching mechanism for changing over to the normal condition in which a protection object

device is connected to an electric path ... wherein when said switching mechanism is in said normal condition, said thunderbolt resisting transformer is disconnected from said electric path to eliminate power consumption by said thunderbolt resisting transformer,” as recited by amended independent claim 3. In addition, Applicant respectfully asserts that Toyonaka does not provide any suggestion or motivation for one of ordinary skill in the art to have modified the lightning response relay device of Kato with the transformer utilized in a refrigerator unit as shown in Toyonaka.

Accordingly, Applicant respectfully asserts that Kato and Toyonaka, whether taken singly or in combination, fail to teach or suggest “a switching mechanism for changing over to the normal condition in which a protection object device is connected to an electric path ... wherein when said switching mechanism is in said normal condition, said thunderbolt resisting transformer is disconnected from said electric path to eliminate power consumption by said thunderbolt resisting transformer,” as required by amended claim 3.

For the above reasons, Applicant respectfully asserts that all of the rejections under 35 U.S.C. § 102(b) should be withdrawn because the applied prior art references neither teach nor suggest the novel combination of features clearly recited in independent claims 1 and 3, and hence dependent claims 2, 4, and 5. Thus, Applicant respectfully asserts that the rejection of claim 1 under 35 U.S.C. § 102(b) in view of Kato, the rejection of claim 1 under 35 U.S.C. § 102(b) in view of Morita, the rejection of claim 1 under 35 U.S.C. § 102(b) in view of Uman, the rejection of claim 2 under 35 U.S.C. § 103(a) in view of Kato and Wynn et al., and the rejection of claims 3 and 4 under 35 U.S.C. § 103(a) in view of Kato and Toyonaka, must be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner believe that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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Dated: July 28, 2006

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